



## U.S. DEPARTMENT of STATE

### Moldova

#### International Religious Freedom Report 2006

Released by the Bureau of Democracy, Human Rights, and Labor

The constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the law includes restrictions that at times inhibited the activities of some religious groups.

There was no change in the status of respect for religious freedom during the period covered by this report. The Government continued to uphold its earlier decisions to deny some groups registration. In March 2006 a court ordered the State Service for Religions (SSR) to register the Church of Jesus Christ of Latter-day Saints (Mormons); however, the SSR appealed the ruling. In the separatist region of Transnistria, which is not controlled by the Government, authorities continued to deny registration to and harassed a number of minority religious groups.

The generally amicable relationship among religious groups in society contributed to religious freedom; however, disputes among different branches of the Christian Orthodox faith continued, and there were some reports of Baptists and Jehovah's Witnesses experiencing harassment from local town councils, as well as from Orthodox priests and adherents.

The U.S. government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. Specifically, the U.S. embassy raised concerns at the highest levels of the Government regarding the persistent registration difficulties faced by some religious groups.

#### Section I. Religious Demography

The country has an area of approximately thirteen thousand square miles, and its population, including Transnistria, is an estimated 3.9 million. The Migration Department estimates that between 500 thousand and one million citizens have left the country to work abroad since independence in 1991. Common destination countries include Russia, Italy, Portugal, Spain, Greece, the United Kingdom, and Ireland.

The predominant religion was Christian Orthodox. More than 90 percent of the population nominally belonged to either of two Orthodox denominations. According to the SSR, the Moldovan Orthodox Church (MOC) had 1,255 parishes, and the Bessarabian Orthodox Church (BOC) included 219 parishes. The BOC was formed in 1992 by priests who broke away from the MOC. It was officially recognized in 2002. In addition followers of the Old Rite Russian Orthodox Church (Old Believers) made up approximately 3.6 percent of the population. The True Orthodox Church of Moldova continued to be refused registration. The religious traditions of the Orthodox churches are entwined with the culture and patrimony of the country. Many self-professed atheists routinely celebrate religious holidays and observe Orthodox practices if local tradition and the occasion demand.

Adherents of other faiths included Roman Catholics, Baptists, Pentecostals, Seventh-day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, followers of Reverend Moon, Molokans (a Russian group), Messianic Jews (who believe that Jesus was the Messiah), Lutherans, Presbyterians, Hare Krishnas, and some other charismatic Christian and evangelical Christian groups. The Church of Jesus Christ of Latter-day Saints (Mormons) had two congregations, with an estimated 250 members. According to the most recent statistics from the Israeli cultural center in Chisinau, the Jewish community had approximately twenty-five thousand members, including fifteen thousand in Chisinau; 2,500 in Balti and surrounding areas; 1,600 in Tiraspol; one thousand in Bender; and four thousand in small towns.

Foreign missionaries represented many faiths and denominations.

#### Section II. Status of Religious Freedom

##### Legal/Policy Framework

The constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the law on religions (adopted in 1992 and amended in 1999 and 2002) contains restrictions that inhibited activities of unregistered religious groups. The law provides for freedom of religious practice, including each person's right to profess in any form his or her religion. It also protects the confidentiality of the confessional, allows denominations to establish associations and foundations, and states that the Government may not interfere in the religious activities of denominations. The law specifies that "in order to organize and function," religious organizations must be registered with the Government. Unregistered groups may not own property, engage employees, or obtain space in public cemeteries in their own names.

There is no state religion; however, the MOC receives favored treatment from the Government. The Metropolitan of Chisinau and all Moldova is issued a diplomatic passport. Other high-ranking MOC officials also reportedly have diplomatic passports.

The procedures for registering a religious organization are the same for all groups. To register, a religious organization must present a declaration of creation, by-laws, and an explanation of its basic religious beliefs to the SSR. The SSR enters the religious organization into the register of religions within thirty working days. At the request of the SSR, a court can annul the recognition of a religious organization if it "carries out activities that harm the independence, sovereignty, integrity, and security of the Republic of Moldova, public order, or is connected with political activities." The law also prohibits religious organizations from including in their by-laws any provisions that would violate the constitution or any other laws.

The Government has recognized and registered twenty-one religious organizations, many of which have subentities throughout the country. Although amendments to the law on religions adopted in 2002 were intended to simplify the registration process and make it essentially automatic, the SSR continues to deny registration to the Spiritual Organization of Muslims, the Central Muslim Spiritual Board of Moldova, and the True Orthodox Church of Moldova. Beginning in 2000, the Mormons tried repeatedly to register with the SSR. On March 28, 2006, the Chisinau Court of Appeals ruled in favor of the Mormons and ordered the SSR to register the church. On May 25, 2006, the SSR appealed the decision to the Supreme Court of Justice. By the end of the period covered by this report, the appeal had not come before the court.

In 1999 an amendment to the law on religions legalized proselytizing; however, the law explicitly forbids "abusive proselytizing," which is defined as an attempt to influence an individual's religious faith through violence or abuse of authority. During the period covered by this report, the authorities did not take legal action against any individual for such proselytizing.

A draft of the law on religions, introduced in 2002, was revised to remove numerous restrictive measures. The Council of Europe reviewed the draft law, which passed its first reading in Parliament on December 22, 2005. By the end of the period covered by this report, the law had not come before Parliament for a second reading.

By the end of the period covered by this report, the 2003 law on combating extremism had not been used against any religious groups or opposition organizations.

The criminal code permits punishment for "preaching religious beliefs or fulfillment of religious rituals which cause harm to the health of citizens, or other harm to their persons or rights, or instigate citizens not to participate in public life or in the fulfillment of their obligations as citizens." No organization was prosecuted under this code during the period covered by this report.

Article 200 of the administrative offenses code prohibits any religious activities of registered or unregistered religious groups that violate current legislation. The article also allows the expulsion of foreign citizens who engage in religious activities without the consent of authorities. In 2004 the Spiritual Organization of Muslims reported being fined under the article for holding religious services in a location registered to a charitable organization. The Government charged that its activities were not in line with the stated activities and purposes of the charitable organization. Foreign volunteers from the Mormon Church have also been charged under this article with working illegally for an unregistered religious organization.

Foreign missionaries may enter the country for ninety days on a tourist visa. They experience the same bureaucratic difficulties in obtaining residence permits and customs clearances as other foreign workers who wish to stay in the country for longer periods.

On April 6, 2006, the law on entry and exit was amended by Parliament, limiting the stay of foreigners to ninety days in a six-month period. However, foreign missionaries may obtain an "immigration certificate" and residence permit from the National Bureau for Migration if they can demonstrate that they are locally employed. This amendment proved problematic for missionaries who were working in the country on a volunteer basis.

According to the law on education, "moral and spiritual instruction" is mandatory for primary school students and optional for secondary school and university students. Some schools offer religion courses, but enrollment depends on parental request and the availability of funds. There are a number of theological institutes, seminaries, and other places of religious education.

Two public schools and a kindergarten are open only to Jewish students; in Chisinau one kindergarten has a special "Jewish group." These schools receive the same funding as other state schools and are supplemented financially by the community. However, Jewish students are not restricted to these schools. Total enrollment for Jewish schools was approximately 550.

The law provides for restitution of property that was confiscated during successive fascist and Soviet regimes to politically repressed or exiled persons. This regulation also extends to all religious communities; however, in practice the MOC has been favored over other religious groups. The MOC has recovered nearly all of its property, and in cases where property was destroyed, the Government offered alternative compensation. The recovered property included churches, schools, hospitals, orphanages, and administrative properties. Property disputes between the Moldovan and Bessarabian Orthodox churches have not been resolved. According to Jewish community representatives, there was no consistent restitution being undertaken on their behalf in the country, nor were there any ongoing restitution claims by individuals.

The authorities in Transnistria also impose registration requirements that negatively affect religious groups and have denied registration to some groups. In 2004 the Transnistrian Supreme Soviet considered a new draft law on religions, which reportedly contained numerous contentious provisions. However, it abandoned the initiative in 2005, after the Orthodox bishop of Tiraspol and some legislators objected strongly to the draft; the 1995 law on religions remains in force.

#### Restrictions on Religious Freedom

The law on religions contains restrictions that inhibit the activities of unregistered religious groups, and the Government continued to deny

registration to some groups.

Unregistered religious organizations are not permitted to buy land or obtain construction permits for churches or seminaries. In some cases, members of unregistered religious groups held services in homes, nongovernmental organization (NGO) offices, and other locations. In other cases, the groups obtained property and permits in the names of individual members. Individual churches or branches of officially registered religious organizations are not required to register with local authorities; however, a branch must register locally in order to carry out legal transactions and receive donations.

In February 2004 the Supreme Court overturned the Government's 2001 decision that made the MOC the successor to the pre-World War II Romanian Orthodox Church for purposes of all property ownership. In April 2004 the Supreme Court rescinded its ruling, in response to an appeal submitted by the Government. The Bessarabian Orthodox Church (BOC), which regards itself as the legal and canonical successor to the pre-World War II Romanian Orthodox Church, contested the latter decision and in May 2004 submitted the case to the European Court of Human Rights (ECHR), where it awaited examination at the end of the reporting period. The issue has political as well as religious overtones, since it raises the question of whether the Orthodox Church should be oriented toward the Moscow patriarchate (as is the MOC) or the Bucharest patriarchate (as is the BOC). In June 2005 the Government rejected a BOC request for the return of property and archives, arguing that the law provides no mechanism for doing so.

On April 13, 2006, in a dispute over control of a local church, the BOC priest and some parishioners in the city of Floresti reportedly were assaulted by local police and members of the MOC when they tried to enter the church. In March 2005 the Supreme Court had ruled in favor of the Floresti BOC and ordered local authorities to recognize its registration; however, local officials continued to refuse the BOC access to the church. In March 2006 the BOC appealed to the ECHR.

In January 2006 the Government launched a public campaign for donations to renovate the historic Curchi monastery, which is administered by the MOC. By the end of the reporting period, approximately \$750 thousand (lei 10 million) had been collected, in addition to in-kind donations. Parliament was selected as the "primary patron" of the monastery, and it passed a bill granting tax exemption to the renovation effort. Opposition parties criticized the bill, arguing that it contravened the constitution and was discriminatory toward other religious groups.

There was no change in the status of efforts to register the Church of the True Orthodox-Moldova, a branch of the Russian Orthodox Church Abroad (ROCA), and it remained unregistered.

The Mormons continued to face bureaucratic obstacles to registration, including their fourth and most recent application in November 2005. The church filed a lawsuit against the SSR in December 2005, and on March 28, 2006, the Chisinau court of appeals ruled in favor of the Mormons and ordered the SSR to register the church. The SSR was presented with the court's ruling on May 10 and appealed the decision to the Supreme Court of Justice fifteen days later. The case is still pending examination by the Supreme Court, whose decision was expected to be final. In August 2004 two American citizens volunteering for a charitable organization registered by the Mormons were charged with, and convicted of, working illegally for an unregistered religious organization. In September 2004 the court of appeals overturned that decision and dropped all charges.

The SSR refused registration on numerous occasions to both the Spiritual Organization of Muslims and the Central Muslim Spiritual Board of Moldova (the latter is associated with the Central Muslim Spiritual Board of Russia and CIS states). The Spiritual Organization of Muslims filed its most recent application for registration on June 28, 2005, and was immediately refused. In February 2006 the court of appeals upheld the SSR decision. On June 28, 2006, the Supreme Court of Justice ordered the rehearing of the case by the court of appeals. At the end of the period covered by this report, the lawsuit filed by the Central Muslim Spiritual Board of Moldova against the SSR for failing to register the Spiritual Organization of Muslims was under review by the court of appeals.

There has been no resolution in the case of the halted construction of a Baptist church in Capriana, despite Baptist appeals to both district and central authorities.

The Jehovah's Witnesses have reported several instances of interference in construction or renovation of houses of worship. In 2004 the Comrat mayor's office refused to issue a construction permit for a house of worship, and the village council of Saratenii Vechi voted to annul a previously issued urban-planning certificate and construction permit, in order to stop the renovation of a house of worship there. In April 2006, at the insistence of the local Orthodox community, authorities in the village of Farladieni terminated a contract with Jehovah's Witnesses for rental of a public building to use as a place of worship.

Authorities in Transnistria used registration requirements and other legal mechanisms to restrict the religious freedom of some religious groups. Evangelical religious groups meeting in private homes reportedly were told that they do not have the correct permits to use their residences as venues for religious services.

The Transnistrian authorities developed a textbook in 2000 that is used at all school levels, which reportedly contains negative and defamatory allegations regarding the Jehovah's Witnesses.

As noted in previous reports, the Jehovah's Witnesses in Transnistria filed suit against the Office for Religions and Cults (ORC) there for repeatedly refusing to accredit their religious leaders. In 2004 the Tiraspol City Court ruled to limit the activities of the Jehovah's Witnesses to the city of Tiraspol and to annul its 1997 registration. However, the court also rejected the Tiraspol city prosecutor's 2002 request to prohibit the group's activities altogether, and ruled that the ORC must reexamine the Jehovah's Witnesses' application for accreditation of their leaders.

In 2004 the Tiraspol city prosecutor notified the Jehovah's Witnesses that the group would need to reregister and obtain accreditation for its leaders in order to continue their activities; however, the ORC continued to refuse to issue accreditation. In early 2005 the Jehovah's

Witnesses filed an appeal with the Supreme Court of Transnistria; however, it refused to examine the case, referring the Jehovah's Witnesses back to the Tiraspol city prosecutor. In June 2005 the ORC again refused to grant the Jehovah's Witnesses documentation required for registration, and in August 2005 the group sued the ORC. On June 21, 2006, the Tiraspol City Court was scheduled to consider the community's complaint regarding the inaction of the Transnistrian "presidential administration" and issue an opinion so that the group might be registered. However, the hearing was postponed due to the repeated failure of administration representatives to appear. The Baptist community in Transnistria submitted an application for registration in 2004, which remained under review at the end of the reporting period.

There were no reports of religious prisoners or detainees.

#### Abuses of Religious Freedom

The Spiritual Organization of Muslims reported continued harassment by the police and new problems with the Ministry of Justice during the period covered by this report. Since 2004 police have often shown up at the group's Friday prayers, which are held at the offices of the local Islamic organization Calauza, to check participants' documents and take pictures. In 2004 police detained several members following a raid and deported three Syrian citizens for not having proper legal residence documents. Authorities claimed the religious services were illegal because the organization and its meeting place were not properly registered. In March 2005 Calauza received a letter from the Ministry of Justice demanding that it stop the propagation of an unregistered cult. On May 19, 2006, police filmed attendees during Friday prayers and tried to bring charges of administrative violations, but the court dismissed the charges as unfounded.

In 2004 the Mormons reported that police showed up at one of their religious services, which are held at the offices of their humanitarian assistance organization. The police took video and pictures of the service and questioned several participants about their activities.

In January 2005 the Jehovah's Witnesses community in Domulgeni began proceedings to register as a legal entity. In November 2005 the community filed a complaint with the Balti court of appeals against the Floresti Raion district council chairman for his refusal to consider their application and won the case. The district council appealed the decision to the Supreme Court of Justice. On April 5, 2006, the Supreme Court reversed the decision of the Balti appeals tribunal and ordered that a new trial be held.

The Jehovah's Witnesses and Baptists have reported numerous instances of being charged administrative fines. In several cases local police fined the group for failing to provide proper security for the group's meeting place, including barring the doors and windows and setting up a twenty-four-hour watch, despite the fact that no such requirements exist in law. In each case the charges were dropped on appeal to the courts.

The Jehovah's Witnesses in Transnistria have reported that officials levied administrative fines and made unjust arrests of its members. In all reported cases the charges were dropped on appeal to the Supreme Court. In 2004, at the Lipcani-Tighina border crossing, a border guard seized literature from two Jehovah's Witnesses, but the material was returned after they filed a complaint with the head of the border guard unit in Tiraspol.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Section III. Societal Attitudes

The generally amicable relations among religious groups in society contributed to religious freedom. The dispute between the Moldovan and the Bessarabian Orthodox churches continued during the reporting period. With the exception of the incident in Floresti, members of the two churches generally did not interfere with each others' freedom to worship.

Baptists and Jehovah's Witnesses in various areas complained that local town councils impeded their ability to practice their religions freely. They reported physical and verbal abuse by townspeople, instigated by local Orthodox priests.

In the village of Rosietici, the Baptists have attempted to receive the proper documents and build a church for several years but have been repeatedly refused them by local authorities. In the village of Hijdieni, the Baptists were refused permission to renovate a building they had purchased, and villagers tried to vandalize the structure.

In 2004 Jehovah's Witnesses in the village of Saratenii Vechi began renovating a house for a place of worship. As they worked on the building, eighty local townspeople, along with the village priest and mayor, marched to the construction site, and threatened and insulted the workers. Later that week, some reportedly returned, forcibly entered the building, and verbally and physically abused the Jehovah's Witnesses present.

There were a few reports of negative press articles about non-Orthodox religious groups. The Jehovah's Witnesses have been the target of articles criticizing their beliefs and legitimacy, and Baptists in Transnistria claimed press reports about their religion had been negative.

On May 3, 2005, six tombstones were destroyed in the Jewish cemetery in Chisinau. Three young men, two from Chisinau and one from Tiraspol, were arrested in connection with the vandalism. The motives for the vandalism were not clear, and the Jewish community stated that it did not believe that the incident was an act of anti-Semitism. In November 2005 another twenty-five tombstones in the same cemetery

were destroyed. The police did not find the perpetrators, and the local Jewish community did not describe the incident as an act of anti-Semitism.

There was no progress in the investigation into several anti-Semitic acts that took place in Transnistria in 2004, when more than seventy tombstones were desecrated in the Jewish cemetery in Tiraspol and unknown persons attempted to set the Tiraspol synagogue on fire. Transnistrian authorities believed the same persons perpetrated the attacks.

In 2003 unknown persons destroyed eight tombstones in a Jewish cemetery in Balti. However, according to a leading rabbi in Chisinau, it was not clear whether anti-Semitism motivated the incident.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. U.S. embassy officers have met with leaders and legal representatives of many religious organizations to discuss registration, restitution, and other problems organizations have had with the authorities. The embassy raised concerns at the highest levels of the Government regarding the persistent registration difficulties of some religious groups. The embassy sent diplomatic notes to the Government expressing concern about continued delays in registering some groups as well as others being blocked from constructing houses of worship. During the period covered by this report, an embassy officer met with the head of the SSR to discuss the continued difficulties of some organizations in obtaining official registration. An embassy representative maintains regular contact with religious leaders throughout the country.

The U.S. ambassador met with leaders of the major religious organizations, including the MOC, BOC, Catholic Church, and the Jewish community. Embassy employees maintain contact with most of the resident American missionaries. The embassy has supported the activities of religious and secular groups, and has funded several NGO projects to promote tolerance and understanding in society.

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